

(1) (4)

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DAVID E,SMITH

PLAINTIFF

V.

PUBLISHERS CLEARING HOUSE DEFENDANT'S

CASE No.08 C 2413

HONORABLE JUDGE ROBERT M,DOW

FILED
J.N
AUG 14 2008
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

08cv 2413

PLAINTIFF'S ANSWER TO DEFENDANT'S MEMORANDUM IN SUPPORT PUBLISHERS CLEARING HOUSE LLC'S
MOTION FOR SUMMARY JUDGMENT,NOTICE TO Pro se Litigants Oposing Summary Judgment AND
DEFENDANT'S Motion For Summary Judgment Is Reproduced in Local 56.2

PLAINTIFF HAS FILED IN A COURT OF LAW

NOT ALLOWED TO FILE

EXHIBIT (1)

Exhibit (2-F)

EXHIBIT (A)

EXHIBIT (2-F)

EXHIBIT(2-B)

EXHIBIT (2-F)

EXHIBIT (2-B)

EXHIBIT (2-F)

EXHIBIT (2-B)

EXHIBIT (2-F)

EXHIBIT (2-B)

EXHIBIT (2-F)

EXHIBIT (2-B)

EXHIBIT (2-F)

EXHIBIT (2-B)

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EXHIBIT (@-B)

EXHIBIT (2-F)

EXHIBIT (2-B)

EXHIBIT (2-B)

EXHIBIT (2-B)

NOW PLAINTIFF MOVES ANSWER ALL OF DEFENDANT'S SAID TO BE UNDISPUTED MATERIAL FACTS

IN SUPPORT OF ITS MOTION FOR SUMMARY JUDGMENT PURSUANT TO LOCAL RULE OF CIVIL PROCEDURE
PUBLISHERS CLEARING HOUSE LLC'S RULE 56.1 (a) (3), '(PCH) ' SUBMIT FOLLOWING STATEMENT:

1.plaintiff's COMPLAINT

1. ON OR ABOUT FEBRUARY 13,2008,PLAINTIFF FILED COMPLAINT PCH IN THE CIRCUIT COURT
COCY ILLINOIS CASE NUMBER 2008L001657. (ADMIT) .

2.

PUBLISHERS CLEARING HOUSE SEARCH TEAMS,AND REVEAL THAT PCH'S EXPERTS AND DOROTHY ADDEO CONTEST ADMINISTRATION MANAGER VERIFIED FORM NUMBER C4356Wa the NAME DAVID E,SMITH FOR JULY 97 ENTRY GIVEAWAY No.525 \$3-5-MILLION DOLLARS,NOV.21,1997 come up lucky No. 375 \$10-Millllion Dollars,for Sept.'98 ENTRY No.525 \$5-MILLION DOLLARS,BEFORE THE \$5-Mil PCH HAD GIVE MY \$10-Mil Jan.1,1998,PCH MOVE FAST GAVE SAID AWARD TO ANOTHER INDIVIDUAL BUT BEFORE THAT HAPPEN THE BUSINESS HAD DAVID E,SMITH LISTED AS WINNER FOR No'S 525 and 599 Oct.14,1998,and again NOV.16,1998 DAVID E,SMITH BACK IN THE BALL GAME FOR No. 375 \$10-Million Dollars. (ADMIT)

3.PLAINTIFF STATED THAT PCH ENGAGED IN DECEIT AND FRAUDULENTLY CHEATED DAVID E,SMITH BEHINE MY BACK TOOK THE MONIES FROM BY TRICKS:AND PAPER SCHEMES WITH PROMISES AND DELAY (ME) PAYMENTS FOR TEN YEARS THEY HAVE MONEY,THEY KEEP EVADING WALK AROUND PAYDAY. (ADMIT)

11.THE PUBLISHERS CLEARING HOUSE SWEEPSTAKES

4. DEFENDANT'S said PLAINTIFF DIDN't WIN THAT'S EASY TO WRITE PLAINTIFF NOT A WINNER I AM SHOCKED,WHAT GOING ON IN THE MINDS OF P.C.H.AND THEIR ATTORNEYS HOW/ OR WHY WOULD THEY SAY SOMETHING AS PLAINTIFF DIDNOT WIN ,HOW CAN STAND FLAT FOOTED AND (THEY) SAY DAVID E,SMITH ISN't a winner of PCH'S SWEEPSTAKES,THEY OR THE ONES WHO GAVE BULLETIN TO ME AND CHECK THEM AND ADVISED THAT PLAINTIFF IS THE WINNER,THEY DESIRE MORE DELAYS. I (DENY)

5.DEFENDANT'S STATES IN THEIR EFFORTS TO SUPPORT PLEADING FOR SUMMARY JUDGMENT AGAINST PLAINTIFF / OR DEFENDANT'S ISSUED A DECLARATION OF CHRISTOPHER LYLE IRVING CHRISTOPHER LYLE IRVING,BEING DULY ,SWORN ,DECLARES AS FOLLOWS:

1. I AM ASSISTANT VICE PRESIDENT , CONSUMER & LEGAL AFFAIRS,OF PUBLISHERS CLEARING HOUSE (" PCH") ,I HAVE NEEN EMPLOYED BY PCH SINCE 1994,and I HAVE PERSONAL KNOWLEDGE OF THE FACTS SET FORTH HEREIN ,EXCETP WHERE SPECIFICALLY STATED

2. I HAVE BEEN CAUSED A SEARCH TO BE MADE OF THE RECORDS OF PCH TO DETERMINE WHICH PROMOTIONAL SWEEPSTAKES OR " GIVEAWAYS " WERE BEING OFFERED BY PCH DURING THE TIME PERIOD COVERED BT PLAINTIFF 'S COMPLAINT (viz.JULY 1997 to NOVERBER 1998) AND WHO WERE THE WINNEF RESPECTIVELY OF PRIZES OF \$1.MIL OR MORE IN SUCH GIVEAWAYS ,THE SEARCH WERE CONDUCTED UNDER MY SUPERVISIONAND MY DIRECTION.

(DENY)

(3)

3. THE GIVEAWAYS IN QUESTION , AND THE RESPECTIVE WINNERS OF SUCH PRIZES IN EACH OF THEM,ARE SHOWN ON THE RECORDS OF PCH AS FOLLOWS:

GIVEAWAY	WINNER	PRIZE AWARDED
No. 375	KJ McALLISTER Box 184 Wembley,AB T0H 3S0 Canada	\$10-Mil
No. 450	FATHER Mike Berner PO.BOX 225 Earling,IA 51530	\$1-Mil
No.525	ERELEINE,FERRARA P.O.BOX 687 Greenfield CA,93927 Beverly,Cook	\$1-Mil
No.555	600 N.Main Street Stewartsville,NJ 08886	\$10-Mil

(DENY)

4.PLAINTIFF DAVID E,SMITH NOT ON ANY THEASE RECORDS AS THE WINNER OF ANY OF THE GIVEAWAYS HEREIN LISTED.

5.I PERSONALLY MADE SEARCH OF RECORDS OF WHO SIGN CLAIMS IN THE U.S. DICTRICT COURT SOUTHERN ILLINOIS / OR WHO FILED CLAIM IN VOLLMER .et.al.v.PCH AND WHO"OPTED OUT" OF THE SAID CLASS ACTION / OR FEDERAL CLASS ACTION LAW SUIT / (*OR VOLLMER'S SETTLEMENT*) APPROVED BY FINAL ORDER OF THE U.S.DISTRICT COURT FOR TH SOUTHERN DISTRICT OF ILLINOIS IN VILLMER.ET.AL.V.PCH AND CAMPUS Subscriptions.INC.CIVIL No.99-434-gpm(98. ILL Feb.18,2000. LAW SUIT FILED IN 1999 AND SETTLEMENT FILED IN (2000 .

6. DEFENDANT'S say not as HAVE OPTED OUT OF SETTLEMENT CLASS FOR THE VOLLMER SETTLEMENT .

7.DEFENDANT'S states records SHOW DAVID E,SMITH 6546 So.Stewart Ave file a claim IN THE VOLLMER SETTLEMENT AND WAS PAID A CHECK \$411.72 in SETTLEMENT OF HIS CLAIM.

(DENY)

DAVID E,SMITH DON't UNDERSTAND HOW DEFENDANTS THE THINGS THEY SAY ABOVE UNDER PENALTY OF U.S.LAWS.I DON't see A COPY OF CLAIM BY SMITH / or a copy of check said TO BE MY SETTLEMENT, AND THEY DIDN'T inculde a COPY / or COPISE OF PAPERS SIGN BY ME STATEING

THAT I WAS SATISFIED WITH MY SETTLEMENT OF \$411.72.

copise sent U.S.Mail by DAVID E,SMITH TO:

U.S.DISTRICT COURT
219 So.Dearborn Chgo,Ill.

David E. Smith

Bryan Cave LLP
161 N.Clark Street Suite 4300
Chgo,ILL60601

Exhibit ② - B7
RECEIVED

AUG 14 2008

MICHAEL W. DOBBINS
 CLERK, U.S. DISTRICT COURT

Dorothy Addeo
Contest Administration Manager
Publishers Clearing House
101 Winners Circle, Port Washington, NY 11050

Dear David E. Smith:


This is the prize we told you about on TV. Now let me be the first to offer congratulations! As Contest Manager for Publishers Clearing House, I am pleased to announce that, as a potential winner, you are now on Final Standby Alert to win the \$10,000,000.00 SuperPrize on Super Bowl Sunday, January 25th.

Frankly, this is the best position you can be in at this point in time. Now that it's the Final Round of mailings for the Sweepstakes, which ends on January 20th, you're just a few weeks away from being confirmed the lucky winner, provided you have and return the winning entry.

Nothing would make me happier than to see David E. Smith receive a giant \$10,000,000.00 check when the winning moment is broadcast live from the winner's home immediately following the Super Bowl. Since January 25th is just around the corner, we'd like you to return the enclosed Winners Confirmation Form as soon as possible.

Take a moment to read it over, initial the boxes and sign your name. All of our winners are required to sign a similar form. Then take these two important actions to secure your Final Standby Alert status.

1. Affix the IDENTIFICATION LABEL to your Winners Confirmation Form.
2. Affix the FINAL STANDBY ALERT SEAL to your Reply Envelope. Our Processing Dept. is waiting for your reply. When they see this seal, they can quickly "zero-in" on your form when it comes back.

For the benefit of you and your family, please take advantage of this last chance opportunity to become the \$10,000,000.00 winner from Giveaway No. 375. Please fold your Confirmation Form on the lines and mail it back now. The scheduled date for the prize award presentation is coming up fast. 

Dorothy Addeo

D. Addeo, Contest Manager

P.S. Remember, the Prize Patrol will deliver the prize on Super Bowl Sunday, January 25th. Just think of what \$10,000,000.00 would mean to the Smith family. Since the prize countdown has already begun, mail your Confirmation Form to arrive by January 20th at the latest.

12/30/97

New Page 11

(Anjie.McGuire)

Dear Anjie

(-CA)
2-B)

In to your letter dated September 13.2005 received here September 26.2005 and I don't understand why you can't see my name on your winners list in my letter to you dated September 25.2005 mail September 26.2005 in that letter Iryed to certify my winner status in relation to list you sent me however in this letter I will try to set the record straight regarding David E. Smith winner of PCH's give away number 375 10-million dollars 1997 and 1998 PCH's records sent to Smith by US Mail which I have many letters here from PCH at customer service and 101 winner circle Port Washington New York 11050 David E. Smith also received letters from other PCH offices in other cities in U.S.A. David E Smith entered sweepstakes from PCH during 1997 and 1998 I have record or some copies of PCH's documents my copies give direct evidence that Smith is winner of PCH's give away No.375 November 21.1997 10-million dollars Dorothy Addeo and Eleonora McCormick PCH, PDG. - Core World Headquarters Port Washington NY 11050

- 11-21-97 Smith was given Prize Acceptance Affidavit Winner Documents Final Round Give away
- No.375 10-million dollions D. Smith was officially on playboy stamps at this point and time playboy had and have now over 200.000 subscriptions in U.S. and about 650 titles to choose from world wide delivery told free ordering and about 9.200.000 for playboy magazine. D. Smith official announce winner 10-million dollars 11-30-98 by Board of Judges PCH 101 winner circle Port Washington NY 11050. some way apparently at the last minute they move Smith and place some one else as winner of # 375 An administrative snafu or was it greed that wasted my 10-million As a remedy to this administrative snafu PCH take un-used funds from bond register and send Smith his award and my case will once and forever be settled.

Respectively Submitted

by

David E Smith

9/30/05

Washington

Page 4

16-McGuine
DAVID E. SMITH 6546 South Stewart Avenue Chicago, Illinois.

ANJIE, McGuine
Dear Madam:

(C-B)
2-B

I write this letter to your office, because I didn't yet receive your response to my letter to you 8-21-2004:

The registered report & funds/award of Friday June 4, 2004 amount \$5,621.262.41 sponsored by Sweepstakes Identified David Smith as only person, entitled to rec. this document:

Your letter to me states 7-11-2004 that the above reports didn't come from your office.

However: according to computer print-outs, Certification OF Winners filed with the New York State Bureau of Records D. Smith listed winner Jan. 98 #29223 sign by Dorothy Addeo Contest Manager; in Witness Whereof: Eleonora McCormick Secretary PCH PDG-Core. World Headquarters Port Washington, N.Y. 11050.

→ 11-21-97 CERTIFICATION OF WINNER file with the State of New York Bureau of Records D. Smith of Chicago, IL listed winner # 27971, #84 2247 1621-17 sign by Daniel Doyle, By Dorothy Addeo Witness Eleonora McCormick-

→ Sept. 98 PCH Appraisal File NO. SMIT-3.5MIL
Assign rating customer I D number
40 0543 8808 Exceptional

→ Sept. 98 Computer-Print out reveal that ,and Certified Winner Advisory, GUARANTEED CASH WINNER, Welcome to pch.com. it's all about Winning', along with all others, Smith was and is Winner of \$5,376.600.00.
+ -----

Please see next - Page

Respectfully Submitted

By

David E Smith
David E Smith

10-10-04

PUBLISHERS CLEARING HOUSE

MILLIONAIRES MULTIMILLIONAIRES

(D)

→ GIVEAWAY NO. 450

→ FATHER MIKE BERNER, EARLING, IA

→ August, 1998 Winner - \$1,000,000.00

GIVEAWAY NO. 378K.J. Macalister, Edmonton, AB
January, 1998 Winner - \$10,000,000.00**GIVEAWAY NO. 368**Raulon B. Thomas, Lutz, FL
July, 1997 Winner - \$1,000,000.00**GIVEAWAY NO. 270**Beata Sankiewicz, Sudbury, ON
January, 1997 Winner - \$10,000,000.00**GIVEAWAY NO. 245**Martha McMillen, Louisiana, MO
July, 1996 Winner - \$1,000,000.00**GIVEAWAY NO. 230**Patricia DiNardo, Worthington, PA
January, 1996 Winner - \$10,000,000.00**GIVEAWAY NO. 201**Mildred Hyde, Chatham, NJ
July, 1995 Winner - \$1,000,000.00**GIVEAWAY NO. 200**Maryann Brandt, Phoenix, AZ
January, 1995 Winner - \$10,000,000.00**GIVEAWAY NO. 192**Joyce Griffey, Conneaut, OH
August 1994 Winner - \$1,000,000.00**GIVEAWAY NO. 135**Alfred Siljvik, St. Cloud, MN
January 1994 Winner - \$10,000,000.00**GIVEAWAY NO. 163**Joseph LaVita Jr., Walpole, MA
July 1993 Winner - \$1,000,000.00**GIVEAWAY NO. 160**Diane Malcolm, Waterford, MI
April 1993 Winner - \$1,000,000.00**GIVEAWAY NO. 110**Pamela Barton, Dickinson, TX
January 1993 Winner - \$10,000,000.00**GIVEAWAY NO. 110**George Hardie, Whitsett, NC
October 1992 Winner - \$1,000,000.00**GIVEAWAY NO. 110**Glenna Sue King, Childress, TX
March 1992 Winner - \$1,000,000.00**GIVEAWAY NO. 110**Bill Perkins, Sun City Center, FL
October 1991 Winner - \$1,000,000.00**GIVEAWAY NO. 87**David Koobs, Miami, FL
January 1991 Winner - \$10,000,000.00**GIVEAWAY NO. 110**John Cotter, Fort Worth, TX
October 1990 Winner - \$1,000,000.00**GIVEAWAY NO. 110**Mary Peterson, Salt Lake City, UT
July 1990 Winner - \$1,000,000.00**GIVEAWAY NO. 110**Katherine Jackson, Dallas, TX
May 1990 Winner - \$1,000,000.00**GIVEAWAY NO. 74**Leroy Scarbrough, Bessemer, AL
March 1990 Winner - \$1,000,000.00**GIVEAWAY NO. 75**Arlis Eldridge, Mojave, CA
August 1989 Winner - \$1,000,000.00**GIVEAWAY NO. 88**Robert Castleberry, Denton, TX
March 1989 Winner - \$10,000,000.00**GIVEAWAY NO. 68**John Yancy, Austin, TX
August 1988 Winner - \$1,000,000.00**GIVEAWAY NO. 57**Ann Bishop, Jeffersonville, KY
March 1988 Winner - \$1,000,000.00**GIVEAWAY NO. 53**James MacPherson, Encinitas, CA
March 1987 Winner - \$1,000,000.00**GIVEAWAY NO. 50**Barbara Armellino, Belleville, NJ
January 1987 Winner - \$10,000,000.00**GIVEAWAY NO. 44**Pat Keys, Midland, PA
April 1986 Winner - \$2,000,000.00

(D-2)

(2-B)

2-B

PUBLISHERS CLEARING HOUSE

WINNERS DOCUMENT

Prize Acceptance Affidavit

By affixing the label below, I do hereby testify and confirm that I am in all ways eligible to accept the \$10,000,000.00 SuperPrize from Publishers Clearing House and I understand that I will be declared the

FINAL ROUND
GIVEAWAY No. 315
THRU 1/20/98

WINNER OF

\$10,000,000.00

provided this document arrives in Port Washington, New York, on or before January 20, 1998 and my entry is chosen as the winner:

Therefore, I hereby state and affirm that to the best of my knowledge all information as presented below is true and accurate:

I am not related to any employee of Publishers Clearing House.

I know of no impediments to my eligibility to accept the \$10,000,000.00 prize.

I understand that acceptance of prize constitutes permission to broadcast my winning moment live on television January 25th at the conclusion of the Super Bowl™ on NBC TV and I will receive an additional payment of \$5,000.00 for this.

I prefer my \$10,000,000.00 prize be paid:

- ☐ Certified Bank Checks
☒ Direct deposit via electronic transfer into my bank account.
 (Please wait until January 25, 1998 to supply actual account number.)

Furthermore, I'd be happy to say my winning entry contained an order. Therefore please send me the following and grant me *On The House* privileges on any magazine I may order below. I also understand that an order now will upgrade my Customer Status.



PLACE 2ND
ORDER STAMP
HERE

PLACE 3RD
ORDER STAMP
HERE

PLACE 4TH
ORDER STAMP
HERE

04

PRIZE ACCEPTANCE

DAVID E SMITH
6546 S STEWART AV
CHICAGO IL 60621

54 0062 1812

SUPERPRIZE \$10,000,000.00

Signed David Smith

0810
F1841



DAN DOYLE, TREASURER

PUBLISHERS CLEARING HOUSE • 101 WINNERS CIRCLE • PORT WASHINGTON, NEW YORK 11050

(D-4) 2-B

**PRIZE SHAREHOLDER ALERT
FOR DAVID E. SMITH**

A potential prize payout share of \$13,614,543.00 has been assigned to you, David E. Smith. It includes the opportunity to become our newest INSTANT MILLIONAIRE, so be sure to reply by the November 16 deadline!

 ***** 3-DIGIT 606
83 19

 DAVID E SMITH
6546 S STEWART AV
CHICAGO IL 60621-3140

|||||

➔ Dear David E. Smith,

Congratulations! Because of your entry and recent order history, you have achieved President's Gold Club Status. That means you could become a PCH Prize Shareholder in our giant Sweepstakes. An entry now automatically puts you in line to collect your share of prizes to be awarded from this Bulletin.

David E. Smith, your shareholder eligibility could not have come at a better time. That's because the first prize payouts are scheduled to begin soon. And you, David E. Smith, may be eligible to claim your share! That is, of course, if you register your **Prize Shareholder Claim Certificate** with us by November 16, 1998.

I'm pleased to tell you that you could be the winner of the fastest Prize Payout in our history! That means if you have and return the winning entry from this Bulletin, you could become our newest INSTANT MULTIMILLIONAIRE JUST 48 HOURS after we receive and process your entry. But to qualify, you must respond by the deadline of November 16.

 ➔ As a potential PCH Prize Shareholder, you have been assigned two new SuperPrize® Numbers, 48 4187 3387 11 and 43 4135 0035 21. So when you register your **Prize Shareholder Claim Certificate** now, you have the chance to claim your share of the prize payouts -- our TEN MILLION DOLLAR and INSTANT 3.5 MILLION DOLLAR SuperPrize awards!

However, in order to claim your share of major prizes in the fabulous Sweepstakes from this Bulletin, we must receive the enclosed **Prize Shareholder Claim Certificate** -- completed and signed by November 16. So please take a moment to review the enclosed **Prize Shareholder Report** immediately. It contains all the important information and instructions in order to properly complete and register your claim.

Please follow the prize payout instructions so we will know whether to issue your potential prize share by Cashier's Check or Electronic Funds Transfer (EFT) to your Chicago bank or any bank you choose. Failure to register your **Prize Shareholder Claim Certificate** on time will result in your share of prizes from this Bulletin being awarded to an alternate winner. So, reply now and good luck!

Sincerely,

 Dan Doyle
Treasurer
Publishers Clearing House

David E Smith's PCH Prize Shareholder Report

Address:

6546 S STEWART AV
CHICAGO IL 60621

SuperPrize® Number

48 4187 3387 11
43 4135 0035 21

Date Prepared:

November 16, 1998

Current Status:

→ D. Smith, you have achieved Gold Club Status and are a potential PCH Prize Shareholder. An entry now registers your claim to collect your share of prizes from this Bulletin, including:

\$10,000,000.00 SuperPrize Payout
\$3,500,000.00 SuperPrize Payout (to begin 48 hours after we process the Winning Entry)
\$100,000.00
\$10,000.00
\$4,543.00

Total Prize Eligibility:

→ **\$13,614,543.00**

How To Claim Your Share:

In order to register a claim for your share of the major prizes in this Bulletin, David E. Smith, you must complete, sign and mail your Prize Shareholder Claim Certificate to arrive by November 16, 1998.

(D-3)
2-B

Special Prize Payout Instructions:

As a potential PCH Prize Shareholder, David E. Smith, it is your right to declare how you would like to collect your share of the major prize payouts should you be our winner. You have the option of receiving your payouts in one of two ways. Please tell us which method of payment you prefer by affixing one of the Prize Payout labels below to the enclosed Prize Shareholder Claim Certificate before mailing.

**THE UNDERSIGNED HEREBY ATTESTS AND VERIFIES, AS CONTEST DIRECTOR,
THAT ALL STATEMENTS IN THIS PCH PRIZE SHAREHOLDER REPORT ARE CORRECT.**

Dorothy Addes
Dorothy Addes, Contest Director

PRIZE PAYOUT OPTION #1

I, David E. Smith, declare to collect my share of major prize payouts in the form of **ELECTRONIC FUNDS TRANSFER (EFT)**

Tear off here and retain top portion for your records.

IMPORTANT: Please declare your prize payout option by affixing one of the labels at right or at left to the enclosed Prize Shareholder Claim Certificate before mailing.

I, David E. Smith, declare to my share of major prize pay the form of **CASHIER'S CH**

Return to Chuck

Signed/Order

Same Day 2-19-08

chucks with my name

& address 1000 each

\$1,000.00 A DAY Prize Vouchers
issued to Illinois First Runner-Up
DAVID E. SMITH

▼ Detach all 5 Prize Vouchers along dotted line and return in your Reply Envelope ▼

C42

Dear David E. Smith:

On behalf of Publishers Clearing House, it is my distinct pleasure to issue these five \$1,000.00 Payment Vouchers to you as a First Runner-Up from Illinois.

(2-B)

(D-5)

Thousands of other Runners-Up weren't selected to receive this Bulletin and therefore were not granted First Runner-Up status. But as a President's Gold Club Member you were -- so we're delighted to recognize your 12/97 entry with this honor.

These Vouchers will be exchanged for your first week's prize payments of \$1,000.00 a day, in the event these Vouchers have been imprinted with the winning number and are returned -- duly endorsed -- by March 19.

Provided these conditions are met, daily payments will continue until a minimum lifetime payment of \$10,000,000.00 is made to David E. Smith (or the remaining present value thereof to any designated heirs).

Of course, the total payment could easily exceed \$10,000,000.00 if you live the long and healthy life we all hope for!

But first things first. Please detach the sheet of Payment Vouchers, making sure to keep all five Vouchers attached to one another. Should your Vouchers also include an order, your customer status as a President's GOLD Club Member will be confirmed and you will continue to receive special opportunities and privileges throughout the year. Also, be sure to endorse each Voucher on the back and return to

(2-B) (2)
(~~D-6~~)

208.

To: Be Paid \$20,000 PER month
UNTIL \$10 million Dollars is Pt.,
nothing paid yet 7-21-08 Ab.

Giveaway \$

\$ 375

10,000,000

11-16-98

03/14/08 12:35 FAX 5168838769

PUBLISHERS CLEARING HSE.

002

2120 - Served
 2220 - Not Served
 2320 - Served By Mail
 2420 - Served By Publication
 SUMMONS

2121 - Served
 2221 - Not Served
 2321 - Served By Mail
 2421 - Served By Publication
 ALIAS - SUMMONS

CCG N001-75M-2/28/05 (43480658)

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
 COUNTY DEPARTMENT, _____ DIVISION

(Name all parties)

David E. Smith PLAINTIFF

v.

Publishers Clearing House DEFENDANT (s)

2008LC001637
 CALENDAR/ROOM V
 TIME 00:00
 FRAG

No. 071

101 Winners Circle
 Port Washington New York
 11050

SUMMONS

To each Defendant:

YOU ARE SUMMONED and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance, and pay the required fee, in the Office of the Clerk of this Court at the following location:

- | | | |
|---|--|---|
| <input type="checkbox"/> Richard J. Daley Center, 50 W. Washington, Room _____, Chicago, Illinois 60602 | | |
| <input type="checkbox"/> District 2 - Skokie
5600 Old Orchard Rd.
Skokie, IL 60077 | <input type="checkbox"/> District 3 - Rolling Meadows
2121 Euclid
Rolling Meadows, IL 60008 | <input type="checkbox"/> District 4 - Maywood
1500 Maybrook Ave.
Maywood, IL 60153 |
| <input type="checkbox"/> District 5 - Bridgeview
10220 S. 76th Ave.
Bridgeview, IL 60455 | <input checked="" type="checkbox"/> District 6 - Markham
16501 S. Kedzie Pkwy.
Markham, IL 60426 | <input type="checkbox"/> Child Support
28 North Clark St., Room 200
Chicago, Illinois 60602 |

You must file within 30 days after service of this Summons, not counting the day of service.

IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE RELIEF REQUESTED IN THE COMPLAINT.

To the officer:

This Summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this Summons shall be returned so endorsed. This Summons may not be served later than 30 days after its date.

Atty. Not:

Name: David E. Smith Personally
 Atty. for: Acting on my behalf
 Address: 6546 So. Stewart Ave
 City/State/Zip: Chicago, Ill. 60621
 Telephone: 773-488-3829

WITNESS

Date of service:

(To be inserted by officer on copy left with defendant or other person)

Service by Facsimile Transmission will be accepted at:

(Area Code) (Facsimile Telephone)

PROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, IL

ORIGINAL - COURT FILE

EXHIBIT

1

2-B (A-2)

Affidavit

BE IT ACKNOWLEDGED that David E. Smith citizen of the U.S. over 21 years of age.
OF MY OWN FREE WILL I make this instrument. (address) 6546 S. Stewart Ave 60621

(city) Chicago, Illinois (state) County of Cook the undersigned

DEPONENT, being of legal age, does hereby depose and say under oath as follows:

TO WHOM IT MAY CONCERN: This is to state that according to defendant(s) documents
November 16, 1998 plaintiff (s) prize total \$13,614,543.00, However, defendant(s) PCH,
DO AS THEY PLEASE giant commercial wheeler-dealer of big business fraudulently took
PLAINTIFF (s) money gave to others, we fought for years for payment to no avail, but now

→ AFTER 10 YEARS I pray and request that U.S. and Circuit Court of Cook county Illinois
Will denie defendant (s) plot to move my case, they hope, to block payment, to me, is a TRICK

I affirm that the foregoing is true except as to statements made upon information and belief, and as to those I believe them to be true.

Witness my hand under the penalties of perjury this 3RD day of May, 2008

Signature of Witness

Name of Witness

Street Address of Witness

City/State/Zip

State of

County of

On May 3rd, 2008 before me, Sabrina R. Bays, personally appeared
David E. Smith, personally known to me (or
proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument
and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their
signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature

Affiant

☒ Known

☐ Unknown

IN Produced 852-116-9110

OFFICIAL RULES

Why we run our Sweepstakes. We run a Sweepstakes because it's fun and exciting and calls attention to our unbeatable magazine and merchandise offers. We give away millions of dollars of prizes every year. In total, we've awarded 125 MILLION DOLLARS since our Sweepstakes began in 1967, and the number keeps growing larger every year.

All entries received by 9/2/98 from this Bulletin will be eligible for all Giveaways as listed below. You may receive multiple entry opportunities in our ongoing Giveaways.

Why you were selected to receive this Bulletin. Since we can't mail to everybody, we set up certain qualifications as to what groups we will send Bulletins to and when. (All customers and friends with at least one merchandise order per year and/or one magazine order in the last 3 months gain annual membership in our President's Gold Club. All customers and friends with a magazine purchase within the past year gain annual membership in the President's Club. Those who write to us requesting admission will also be granted membership privileges.) Within each category we then select specific people based on the interest they've shown in receiving our mail. Thousands are eliminated when we go through this process because they do not meet the standards. But you did! That's why you're receiving the enclosed documents that could make you a millionaire!

How you could be selected a winner. You will win our \$10 Million or \$1 Million SuperPrize® (Giveaway Nos. 555 and 525) if you have and return the matching winning number by the deadline. We will look for the matching winning number for Giveaway No. 525 as the entries come in. We will award the \$1 Million SuperPrize® 48 hours after the winning entry is processed or at Giveaway end, whichever comes first. If the matching winning number is not timely returned, we will award the base \$1 Million prize to an alternate winner in a second chance random drawing among all eligible entrants at Giveaway end. In the unlikely event a winning number is duplicated, there will be a random drawing among such duplicated numbers to determine the winner. You will win \$100 Thousand (Giveaway No. 585) if your entry is selected as the winner in a random drawing at Giveaway end. We will also award 20 \$500.00 U.S. Savings Bonds at the end of Giveaway No. 632. Prizes will be distributed via a random drawing from among 20 preselected winners who return winning certificates. If all winning certificates are not returned, there will be a random drawing from among all eligible entries to select alternate winners for unclaimed prizes. Odds of winning depend on the number of entries received.

GIVEAWAYS PROMOTED IN THIS BULLETIN

PRIZE	GIVEAWAY NUMBER	ENDING DATE	WINNER SELECTED BY
→ \$ 10 Million	555	*1/31/99	Winning Number
→ \$ 1 Million	525	+7/31/99	Winning Number
\$100 Thousand	585	*12/31/98	Random Drawing
\$ 10 Thousand	632	9/2/98	Winning Certificate

* Prize may be awarded earlier at our option.

+ Or the day the winning number is processed, whichever comes first.

How our prizes pay out. Win \$10,000,000.00 and you will receive \$500,000.00 the first year, \$250,000.00 a year thereafter, plus a final payment of \$2,500,000.00 in the 30th year. Win \$1,000,000.00 and you will receive \$50,000.00 the first year, \$25,000.00 a year thereafter, plus a final payment of \$250,000.00 in the 30th year. Present value of Giveaway Nos. 555 and 525 will vary depending on interest rates and market conditions at the time of the award. All other cash prizes are paid in full by check at time of award.

How to enter our Giveaways. Simply follow the instructions in this Bulletin and mail your entry by the deadline to be eligible. If you're not ordering this time, DO NOT return your Savings Bond Certificate. Instead write the Giveaway Number "632" on the flap of your Reply Envelope, enclose your One Million Dollar Endorsement Certificate and mail to arrive by the applicable deadline.

Our Prize Patrol will notify winners of prizes of \$10,000.00 or more in person. We'll contact winners of prizes under \$10,000.00 by mail. The entrant named on the winning entry form will be considered the winner. We must locate any winner and have him or her execute an Affidavit of Eligibility within 30 days or we will select an alternate winner. Acceptance of prize, unless otherwise noted, constitutes permission to use winner's name and photograph in television commercials and for other promotional purposes.

No strings attached to our prizes. When you win a Publishers Clearing House Sweepstakes the prize is yours absolutely free. We never require you to buy anything either before or after you win. If anyone asks you for money to claim a prize, don't be taken in by it. The real Publishers Clearing House Prize Patrol comes with flowers, balloons, champagne, and they give YOU the money – no strings attached!

Giveaway Supervisors' decisions are final. Taxes are the winner's responsibility. Sweepstakes is open to residents of the U.S., the U.K. and Canada. You may write in as often as you like to enter our current, ongoing Sweepstakes. Just mail each request separately. We do not accept entries from a third party nor entries sent in bulk. We are not responsible for lost, delayed or misdirected mail. Principals and employees of Publishers Clearing House, its affiliates, contest processors, their immediate families and Giveaway Supervisors are not eligible. All federal, state and local laws apply.

To receive future Sweepstakes opportunities, or to obtain our most recent list of winners, just write to us at the address below and let us know.

Overdue payments may be subject to a late fee of \$1.50.

**ALL PRIZES GUARANTEED TO BE AWARDED
NO PURCHASE NECESSARY TO WIN**

A SMALL SHIPPING AND HANDLING CHARGE WILL BE ADDED TO YOUR ORDER AS FOLLOWS:

AMOUNT OF PURCHASE	SHIPPING & HANDLING
Up to \$25.00	\$4.99
\$25.01 to \$40.00	\$5.99
\$40.01 to \$50.00	\$6.99
\$50.01 to \$70.00	\$7.99
\$70.01 and above	\$8.99

Applicable sales tax will be added in CT, MN, NY and WI. Delivery insurance will be added to all orders for the minimal charge of 89c. Insurance covers FREE replacement of lost or damaged merchandise. Orders will be shipped within 4-6 weeks or you will be notified.



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PUBLISHERS CLEARING HOUSE
101 WINNERS CIRCLE • FORT WASHINGTON, NEW YORK 11850

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

RECEIVED

Plaintiff/Petitioner David E. Smith No. 2008001657
 Defendant/Respondent PUBLISHERS CLEARING HOUSE Calendar 6-24-08

APPLICATION AND AFFIDAVIT TO SUE OR DEFEND AS AN INDIGENT PERSON

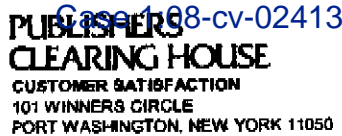
- I, DAVID E. SMITH, the ☒ Plaintiff/Petitioner ☐ Defendant/Respondent herein, age 78
☒ On my own behalf, OR as ☐ Parent, ☐ Guardian, ☐ Other A/N on behalf of A/N
☐ a(n) ☐ Minor OR ☐ Incompetent Adult, state and believe in good faith that ☐ I, or ☐ the person on whose behalf this petition is brought, have a meritorious ☐ claim/ ☐ defense.
☐ I have knowledge of the facts stated herein.
- I am employed as a(n) RETIRED Yearly gross salary \$ 2900 PER MONTH (before taxes)
 Name of employer: NONE Telephone of employer: NONE
 Address of employer: NONE
 I am unemployed as of 07-10-11-2006
 Last employer: CITY OF CHICAGO Telephone: NONE
 Address: 39TH & IRON STREET
 I began receiving Unemployment Compensation on 7-15-06 in the amount of \$ 2900 (per month).
- My spouse is employed as a(n) HOUSE WIFE Yearly gross salary \$ NONE (before taxes)
 Name of employer: NONE Telephone of employer: NONE
 Address of employer: NONE
 My spouse is unemployed as of A/N
 Last employer: A/N Telephone: A/N
 Address: A/N
 My spouse began receiving Unemployment Compensation on A/N in the amount of \$ A/N (per month).
- My other sources of income are: ☒ SSI ☐ Public Aid ☐ Child Support ☐ Food Stamps ☐ Family Assistance ☐ Foster Care ☐ Aid to the Aged, Blind and Disabled ☐ Temporary Assistance for Needy Families ☐ General Assistance ☐ State Transitional Assistance ☐ State Children and Family Assistance ☐ Other: SOCIAL SECURITY \$ 700 (per month).
- My available income is 125% or less of the current poverty level established by the United States Department of Health and Human Services.
- The nature and value of property I own includes: ☒ Real Estate (Describe property, specify address, present value and mortgage and liens outstanding)
HOUSE #98,000
☒ Cash, bank accounts, etc. \$ 1200 ☒ Clothing and jewelry \$ 1500 ☒ Furniture, appliances, household goods \$ 8,000
☒ Automobile - Model NONE Year 2005 Value \$ 23,000
Notes \$1600
- The names and ages of persons dependent on the applicant for support are:
WIFE 1 A/N 1 A/N 1 A/N
1 A/N 1 A/N
- I am paying child support in the amount of \$ NONE per A/N.
- I am paying spousal support in the amount of \$ A/N per A/N.
- My monthly living expenses (not including payment of debts and child support) are \$ 2100.
- ☐ I am eligible to receive civil legal services as defined in 735 ILCS 5/5-105. NONE
- ☒ I am unable to pay the costs of this case, and to do so would cause a substantial hardship to me and my family.

Name: DAVID E. SMITH
 Firm/Business Name: NONE
 Address: A/N
 City/State/Zip: A/N
 Telephone: A/N
 Date: 3-24-08

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that s/he verily believes the same to be true.

David E. Smith
 Signature of Applicant

(OVER)



1-800-645-9242

www.pch.com

Exhibit - G
2-F

RECEIVED

AUG 14 2008

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

80957170440244

DAVID E. SMITH
6546 S STEWART AVE
CHICAGO IL 60621-3140



DEAR David Austin:

We have checked our list of winners and are sorry to say that your name does not appear on it. Please be assured, if you are one of our lucky winners you will definitely be notified. All Publishers Clearing House prizes of \$500 or greater are awarded by either certified mail, or in person by a representative of our famous Prize Patrol. This is done as soon as all winning entries and prizes are matched. We wish you the best of luck in all of our sweepstakes. At Publishers Clearing House your satisfaction is our number one priority. If we can be of further assistance, please contact us toll-free at 1-800-645-9242 or visit our website at www.pch.com.

Cordially,
Director, Customer Service

AMC WMP
750

WIN \$5000 OR MORE Patrol Delivered
To my Home.

From Our House to Your House

**PUBLISHERS CLEARING HOUSE**

101 WINNERS CIRCLE • PORT WASHINGTON, NEW YORK 11050

July 3, 1998

Dear David E. Smith:

These are the Final Winner Documents we alerted you to watch for.

Congratulations! The name David E. Smith was included in the final name selection for receipt of the enclosed Final Winner Documents and you are now scheduled to win \$1,000,000.00 in the Publishers Clearing House Sweepstakes on August 20th provided you have and return the winning entry by July 31st.

This is a significant accomplishment, and it is an honor to have come this far. In fact, you have never been closer to winning than you are right now. That's why I have rushed these registered Final Round documents to you via timed dispatch. You must return these documents to us no later than July 31st to register your position in the imminent winner selection for the \$1,000,000.00 SuperPrize that will be awarded in our live commercial announcement on NBC Nightly News with Tom Brokaw on August 20th.

While this is wonderful news for you, I am also extremely excited. Our records indicate that you've been a customer since 1997. It gives me great pleasure to know that our potential millionaire David E. Smith is a deserving customer of Publishers Clearing House.

Now that you have reached this crucial step, it's not too early for you to start thinking about what August 20th might be like. While it may start off quite "typical," if your hot streak continues and you are indeed the winner, things will get exciting around dinner time. All of a sudden there will be a knock on the door, you'll open it and find the PCH Prize Patrol there with flowers, balloons and the big \$1,000,000.00 check with the name David E. Smith on it. If your winning moment is like the ones I've been a part of in the past, there will probably be screams of delight, congratulatory hugs and maybe even some tears of joy.

Think of it ... you ... a millionaire David E. Smith! Instantly you would have the financial security you've always dreamed of. The ability to take care of loved ones, treat yourself to some of life's finer things, or just relax and take it easy -- for a lifetime.

The big day is just around the corner. August 20th is coming soon. I'm rooting you on David E. Smith. I want you to win because I know you deserve to win. Please don't let this opportunity pass you by. I urge you to return the enclosed Final Winner Documents at once. I can't wait to have the opportunity to meet you face to face just a few weeks from now.

Sincerely,

Dorothy Addeo, Contest Manager
Publishers Clearing House



PUBLISHERS CLEARING HOUSE

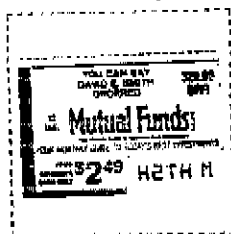
F1988

FINAL ROUND!
GIVEAWAY
NO. 450
ENDS 7/31/98

\$1,000,000.00 ACCEPTANCE FORM

I hereby confirm that I have received FINAL APPROVAL TO WIN \$1,000,000.00 in the Publishers Clearing House Sweepstakes. I understand that I will be declared the WINNER of \$1,000,000.00 provided I have and return the winning entry from this Bulletin by July 31, 1998. I have also affixed my Winner I.D. Label for the \$1,000,000.00 SuperPrize® identification.

Furthermore, I'd be happy to say my winning entry contained an order. Therefore, please send the item shown on the "YES" Stamp below. I agree that should I win the \$1,000,000.00, I will permit the TV broadcast of my winning moment with the Price Patrol in a live commercial announcement during the NBC Nightly News with Tom Brokaw on August 20, 1998.



*Plus shipping & handling of \$2.99 for 101 Strings, Animated Films in Postage Stamps and, Angelic Moments, \$4.99 for Greatest Heroes of the Bible, Heroes of America, 22-KT Gold Full Dents, Classic Double Features of WWI, Classic Republic Dances, Stars of the Screen, Nature's Beauty of Hocking Hills and World's Greatest Train Ride Videos. \$5.99 for the Complete Morgan Silver Dollar Collection—plus any additional taxes. Delivery insurance provided at no extra charge.

98-NPHW3
 F1988

YES! Send me the item shown on the Stamp at left to try out for 14 days FREE. Once I love it as much as you say, I'll pay for my first item in two interest-free payments* as spelled out on the enclosed flyers. Unless I tell you otherwise, I'll receive another addition to my Collection about once each month, at the "Your Price" amount indicated at left. Of course, there is absolutely no risk to me.

40 5253 5196 V0354

WINNER I.D. LABEL
\$1,000,000.00

***** 5-DIGIT 60621
 414 37

DAVID E SMITH
 6546 S STEWART AV
 CHICAGO IL 60621-3140

PLEASE LIFT
 TAB HERE

PLEASE LIFT
 TAB HERE

PLEASE INSERT YOUR COMPLETED WINNERS DATA CARD
 UNDER THE TABS ABOVE AND BELOW AND RETURN YOUR

\$1,000,000.00 ACCEPTANCE FORM


**PUBLISHERS CLEARING HOUSE
OFFICIAL PRIZE DISBURSEMENT ACCOUNT**
**CLAIM VOUCHER
NO. 5370**
ISSUED TO: DAVID E. SMITH
**CASH PRIZE
VALUED UP TO:**
ONE HUNDRED THOUSAND DOLLARS
\$100,000.00
**PRIZE CHECK
DISBURSEMENT APPROVAL:**
Dorothy Addes
David E. Smith 9-16-98
Please sign your name above

This is not a check yet.

OFFICIAL PRIZE DISBURSEMENT ACCOUNT

GIVEAWAY NO.	DATE	NAME OF WINNER	PRIZE PAYMENT	AUTHORIZED BY
462	2/98	Monica L. Weaton	\$10,000.00	Dorothy Addes
375	1/98	K.J. MacAlister	\$10,000,000.00	Dan Doyle
466	4/98	Constance Carmichael	\$15,000.00	Steve Fager
586	3/98	Olive J. Hansen	\$20,000.00	Dan Doyle

ONE MILLION DOLLAR ENDORSEMENT CERTIFICATE

Publishers Clearing House certifies that

David E. Smith

will be approved as the

Winner of \$1,000,000.00 in just 48 hours

subject to conditions outlined below.

*The PCH Prize Patrol will personally deliver
\$1,000,000.00 (ONE MILLION DOLLARS) directly to
6546 S Stewart Av 48 hours after your entry is processed,
should this Endorsement with SuperPrize® Number 63 4383 8004 15
be received by the September 2nd deadline and if it is
identified as the winner. Failure to do so will result
in the forfeiture of this number and the Instant One Million
Dollar opportunity from this Bulletin.*

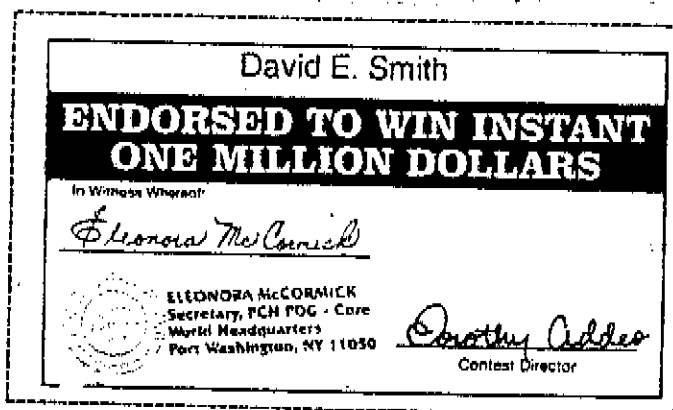
The above statements have been witnessed and verified with



Contest Director



Prize Patrol Director



David E. Smith
6546 S Stewart Av
Chicago IL 60621

CUSTOMER I.D. NUMBER:

42 2525 8819

PAYING IS EASY WITH 0% INTEREST!

PLACE 2ND
STAMP HERE
IF ORDERING

PLACE
FREE GIFT
STAMP HERE
IF ORDERING!

YK660

03

98-NP366
C4330R6

DES
Don't forget
about our
little secret!

